
AUTHORITY

The Michigan Child Protection Law (CPL), 1975 PA 238, is an act that requires the reporting of child abuse or neglect by certain persons and permits the reporting of abuse or neglect by all persons. It includes the legal requirements for reporting, investigating and responding to child abuse or neglect cases.

This act sets forth civil and criminal penalties for a mandated reporter's failure to make a report of reasonably suspected child abuse or neglect. Additionally, it provides civil and criminal immunity for a party making a report in good faith.

PURPOSE

The intent of this item is to inform qualifying Michigan Department of Health and Human Services (MDHHS) employees of their responsibilities as mandated reporters of suspected child abuse or neglect, to provide instruction on how to report such instances, and consequences for failure to report.

**DEFINITIONS
RELATED TO CHILD
ABUSE AND
NEGLECT****Child**

A person under 18 years of age.

Child Abuse

Harm or threatened harm to a child's health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy.

Child Neglect

Harm or threatened harm to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare that occurs through either of the following:

- Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care though financially able to do so, or by the failure to seek financial or other reasonable

means to provide adequate food, clothing, shelter, or medical care.

- Placing a child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.

Sexual Abuse

Engaging in sexual contact or sexual penetration as defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

Sexual Exploitation

Allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, encouraging, or engaging in the photographing, filming, or depicting of a child engaged in a listed sexual act as defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c.

MANDATED REPORTERS

The Child Protection Law requires that a department employee who is one of the following and has reasonable cause to suspect child abuse or neglect must make a report of suspected child abuse or neglect to the department:

- Eligibility specialist.
- Family independence manager.
- Family independence specialist.
- Social services specialist.
- Social work specialist.
- Social work specialist manager.
- Welfare services specialist.

Other individuals who are required to report: audiologists, dentists, law enforcement officers, licensed bachelor's social workers, licensed master's social workers, licensed professional counselors, marriage and family therapists, medical examiners, members of the clergy, nurses, persons employed in any office of the friend of the court, persons licensed to provide emergency medical care, physicians, physician's assistants, psychologists, registered dental

hygienists, registered social service technicians, regulated child care providers, school administrators, school counselors, teachers, social service technicians, social workers, physical therapists, physical therapist assistants, and athletic trainers.

Procedures for Making a Report

An individual who is a mandated reporter and has reasonable cause to suspect child abuse or neglect must **immediately** make a report of suspected child abuse or neglect by use of one of the two following methods:

1. By phone to the Centralized Intake Unit.
2. Online.

Making a report of suspected child abuse or neglect by phone

If making an oral report by telephone, an individual must call the Centralized Intake Unit at 855-444-3911. The Child Protection Law requires that within 72 hours after making the oral report, a written report must be filed with the MDHHS Children's Protective Services (CPS) unit to which the oral report was made. Utilize the form [DHS-3200, Report of Actual or Suspected Child Abuse or Neglect](#), to file the written report. The name of the child and a description of the abuse and/or neglect must be included in the DHS-3200 report. When possible, the report should contain the names and addresses of the child's parent, the child's guardian, the persons with whom the child resides, and the child's age. The report should contain other information available to the reporting person that might establish the cause of the abuse or neglect, and the manner in which the abuse or neglect occurred. Fax the written report to 616-977-1154 or 616-977-1158. A copy of the written report can be emailed to MDHHS-CPS-CIGroup@michigan.gov.

Making a report of suspected child abuse or neglect online

Employees of MDHHS may make a report online. MDHHS employees must request access to MI Bridges for Mandatory Reporters via MiLogin. Information regarding obtaining access and making a report online is available through use of the job aid, [Michigan Online Reporting System: SOM User Registration Guide](#).

Individuals who are not employees of MDHHS but are mandated reporters may also make a report online. Mandated reporters in this category will need to register to create an account before making a report. Non-employees are able to obtain more information on

making a report online through the MDHHS webpage, [A Guide to Online Reporting](#).

Requirement to provide a copy of the report to the department

The Child Protection Law requires mandated reporters to provide a copy of the written report (DHS-3200) or printed report, if made online, to the person in charge of the department where the reporter is employed. Within MDHHS, that responsibility is delegated to the MDHHS county director of the local county office where a mandated reporter is employed. If the mandated reporter does not work in a MDHHS local county office, a copy of the written or printed report must be provided to the relevant department deputy director, bureau director or office director.

The requirement to provide a copy of any written or printed report to the person in charge of a department does not excuse the employee from the requirement to make a verbal and written report to Children's Protective Services.

Multiple Allegations

If a report of suspicion of child abuse or neglect is made and another new allegation occurs, another report of suspected abuse and/or neglect must be submitted to CPS and written, or printed notice must be provided to the head of the department designee in your office; see *procedures for making a report* this item for more information.

Specific Situations That Require a Report

In addition to requiring that mandated reporters report suspected child abuse and neglect, there are two specific situations that the CPL also requires mandated reporters to report to MDHHS:

- The pregnancy of a child less than 12 years of age or the presence of a venereal disease in a child who is over one month of age, but less than 12 years of age, is reasonable cause to suspect child abuse and neglect has occurred.
- A mandated reporter who knows, or from the child's symptoms has reasonable cause to suspect, that a newborn infant has any amount of alcohol, a controlled substance, or a metabolite of a controlled substance in their body. A report is not required

if the person knows that the alcohol, controlled substance, or metabolite, or the child's symptoms, are the result of a medical treatment administered to the newborn infant or their mother.

Failure to Report

A person who is required by the CPL to report an instance of suspected child abuse or neglect and who fails to do so is civilly liable for the damages proximately caused by the failure.

A person who is required by the CPL to report an instance of suspected child abuse or neglect and who knowingly fails to do so is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500, or both.

Employees who are mandated reporters who fail to report may face disciplinary action.

A person acting in good faith who makes a report shall be immune from civil and criminal liability, which might otherwise be incurred by making the report or by assisting in the making of the report.

Note: Providing written notice alone to the head of the department designee within an office does not fulfill the requirement to report suspected child abuse and/or neglect to CPS. If child abuse and/or neglect is suspected, an oral and written report, or online report must be made to CPS even in situations where a person may be discouraged from doing so.

Identity of the Reporting Person

The identity of a reporting person is confidential under the CPL. The identity of the reporting person is subject to disclosure only:

- With the consent of that person.
- By judicial process.
- To those listed under Section 5 of the CPL.

Follow-Up Information Provided to a Mandated Reporting Person

CPS must inform mandated reporters in writing as to the disposition of the case and must include all the following:

- Determination made and rationale.
- Whether legal action was taken, including the nature of action.
- Notification that the information being conveyed is confidential.

Information sent to a mandated reporter must not include personally identifying information for a person named in a report or a record made under this act.

MANDATED REPORTING PERSONS HOTLINE

Mandated reporters may call this hotline 1-877-277-2585 to express concern about the actions taken on a specific complaint of child abuse or neglect they have made.

RESOURCES

1931 PA 328, MCL 750.145c.

[DHHS Pub-112 Mandated Reporter's Resource Guide](#)